

**LOWELL BOARD OF HEALTH
341 Pine Street
Lowell, Massachusetts 01851**

November 1, 2017:

A meeting of the Lowell Board of Health was held on Wednesday, November 1, 2017 in the Mayor's Reception Room, City Hall, 375 Merrimack St., Lowell, MA. 01852. Chairman Jo-Ann Keegan called the meeting to order at 6:10 P.M.

Present:

Jo-Ann Keegan, RN, MSN
John Donovan, DC
Kerry Hall
Craig Kelly

Chairperson
Board Member
Board Member
Board Member

Chairwoman Jo-Ann Keegan called the meeting to order at 6:10 PM.

Order of Business:

NEW BUSINESS

1. **For Acceptance:** Minutes of the October 4, 2017 meeting of the Board of Health.

Motion: To accept the minutes of the October 4, 2017 meeting of the Board of Health made by Kerry Hall, seconded by John Donovan. All in favor.

Motion: To take agenda items 6 and 5 out of order made by Kerry Hall, seconded by Craig Kelly. All in favor.

6. **For Review:** Monthly Development Services Report submitted by Senior Sanitary Code Inspector David Ouellette.

Mr. Ouellette reviewed the report with the Board and informed the Board of status of the window repair in the Lowell High School tunnel. Mr. Ouellette will forward the October reports to the Board. Discussion about the schools that had failed the September inspection occurred. Work orders have been placed and will take place in order of priority with all work orders. Member Kerry Hall requested that schools not included in the September report as well as the charter schools be included for the November report. Discussion about the three restaurants that had been closed occurred. The Board had no further questions.

5. **Communication:** From Leena Marceau and Vasna Marceau Re: conditions at 58 Fay St.
Mr. Ouellette informed the Board that he has conducted an inspection on October 24, 2017, and contacted the owner regarding necessary repairs. The landlord indicated that she had problems gaining entry to the unit to conduct the repairs first noted in the October 11, 2017 violation report. Additionally, the landlord did not agree with some of the items included in that report. Mr. Ouellette will call the landlord and tenant to set up another inspection to make sure repairs have been made. Board Member John Donovan inquired if the City still conducted inspections on apartments. Mr. Ouellette indicated that there were still inspections but the criteria followed had been changed. Discussion on the found violations occurred. Ms. Leena Morneau addressed the Board and indicated that three separate inspections have been conducted. Member John Donovan inquired if any complaints had been filed prior to 2017 and Ms. Morneau indicated that she had not filed any complaints. Ms. Morneau feels that there is mold in the apartment causing her and her mother to be ill and feels she is being treated badly by the landlord. Mr. Ouellette informed the Board that the landlord

had asked that the tenant dispose of personal items with mold in the basement. Those items are still present. Ms. Morneau gave pictures to the Board to review. Board Member Craig Kelly commented that the landlord needs to adhere to the Sanitary Code, but the tenant had to remove their personal items since the mold wouldn't go away if the items remained. Member Donovan inquired what would occur if the repairs weren't completed. Mr. Ouellette replied that the next step would be to take the landlord to Housing Court. Member Donovan informed Ms. Morneau that Mr. Ouellette would be contacting her and the landlord regarding the next inspection and the possible referral to Housing Court.

Motion: To return to the order of the Agenda made by John Donovan, seconded by Kerry Hall. All in favor

2. **Substance Abuse Division Presentation:** by Lainnie Emmond, Substance Abuse Coordinator. Ms. Emmond introduced herself to the Board and reviewed what the Substance Abuse Division and what each of the divisional grants pertains to as well as the ongoing work of the COOP project.
3. **For Review:** Tobacco Control Monthly Report submitted by Cesar Pungirum, Program Director. The Board accepted and placed on file. Mr. Pungirum informed the Board that the Spanish American Market appeared to still be closed and no Tobacco Permit has been issued for the establishment.
4. **Tobacco Permit Suspension Hearing:** Lowell Food Mart 624 School Street.
Mr. Pungirum reviewed the violation of Sale of Tobacco Products to a Minor with the Board. The establishment paid the \$200 fine on August 21, 2017. The last violation at the establishment was on March 7, 2017. Discussion on how the minor is told to attempt to buy tobacco products occurred. The same employee who committed the March 7th violation was the one who sold to the minor this time. Both times the Store Manager was present in the establishment.
The store owner was present and addressed the Board. He has changed the POS system so that the date of birth on the ID must be entered prior to the sale being completed. The Board did comment that this was not a failsafe program as it depended on the date entered by the employee. Mr. Patel asked that the Board spread the days of the suspension over a few weeks.

The Board asked Mr. Pungirum for his recommendation regarding the suspension. Mr. Pungirum suggested that the suspension be served from start of business on November 13, 2017 through close of business November 19, 2017

Motion: to suspend Lowell Food Mart's Tobacco Permit for seven consecutive days made by John Donovan, seconded by Craig Kelly.

Jo-Ann Keegan – Yes

John Donovan – Yes

Kerry Hall – Yes

Craig Kelly – Yes

Motion: that Lowell Food Mart serve the Tobacco Permit suspension from start of business November 13, 2017 through close of business November 19, 2017 made by John Donovan, seconded by Craig Kelly.

Jo-Ann Keegan – Yes

John Donovan – Yes

Kerry Hall – Yes

Craig Kelly – Yes

Mr. Pungirum will contact Mr. Patel by certified mail for follow up regarding the dates of the suspension and what needs to be done.

7. **For Review:** Trinity EMS Inc Reports
Jon Kelley reviewed the reports with the Board. Also present was Shaun Dean, LGH Paramedic Chief/Director and Casey Rainville. LGH Clinical Lead.
Discussion on the various reports occurred. Member Hall asked if training for Mass Casualties occur. Mr. Dean informed the Board that Lowell General does participate in live drills as well as other training opportunities for drills such as the Lowell Folk Festival. It is part of a four year CEU and update cycle. Regarding the overdose report, Mr. Kelley noted that September 2017 had the most overdoses in a month but it appears that October's numbers may have dropped dramatically. Mr. Kelley did a draft of a new opioid report however the monthly report would remain because other groups use the information. The Board felt that an additional report was not necessary. The Board had no further questions.
- Mr. Ouellette returned with the information on the school inspections for Member Hall.
8. **For Review:** Date for the December 2017 Board Meeting changed to December 20, 2017 and upcoming dates for 2018 Board Meetings were reviewed.
9. **Motion:** To adjourn.
Motion to adjourn at 8:15 PM was made by Craig Kelly, seconded by John Donovan. All in favor.

DIRECTOR'S REPORT

10. **Update:** Divisional Reports
The Board accepted and placed on file.

**THE NEXT MEETING OF THE BOARD OF HEALTH: DECEMBER 20, 2017 @ 6:00 PM
MAYOR'S RECEPTION ROOM CITY HALL**